

# EXHIBIT I

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ELIZABETH HORTON,**

**Ms. Horton,**

**vs.**

**DON WILLIAMS, et al.,**

**Williams.**

**CASE NO. 02:06-CV-00526-MHT-DRB**

**DECLARATION OF DANIELLE PIRKLE**

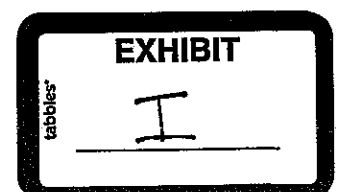
1. Pursuant to 28 U.S.C. § 1746, I, Danielle Pirkle, certify that the following declaration is based upon my personal knowledge.

2. I am a Marketing Assistant with National Seating and Mobility ("NSM").

3. I was consulted regarding the decision to terminate Elizabeth Horton's temporary employment with NSM in Montgomery, Alabama, and I concurred with the decision. Ms. Horton's employment was terminated primarily because of problems with her work, including the apparent unprofessional relationship she developed with then-Associate Director of the Alabama Medicaid Agency's ("Medicaid") Prior Approval Unit, Felecia Barrow.

4. A few days after Ms. Horton's employment was terminated, I received a telephone voicemail message from Ms. Barrow.

5. Ms. Barrow stated in her voicemail message that she was surprised that NSM had terminated Ms. Horton's employment when Ms. Horton was "doing such a good job." She referred to Ms. Horton as "a great person" and expressed her disbelief that Ms. Horton's employment had been terminated.

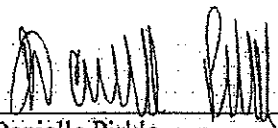


6. Ms. Barrow's message was unprofessional and inappropriate, particularly because of the need to maintain a strict professional divide between Medicaid and durable medical equipment providers, like NSM.

7. I unsuccessfully attempted, on three occasions, to reach Ms. Barrow. She did not return my voicemail messages.

8. I have reviewed Gerald Shockley's notes of his June 23, 2005 interview with me. The notes are a true and accurate reflection of the interview, and are attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 18<sup>th</sup> day of February, 2008.

  
\_\_\_\_\_  
Danielle Pirkle

**ALABAMA ATTORNEY GENERAL'S OFFICE  
MEDICAID FRAUD DIVISION  
INTERVIEW REPORT FORM**

**June 28, 2005**  
**TRANSCRIPTION DATE**

Interview of Danielle Pirkle  
June 23, 2005  
Matter ID #77282-001

Ms. Danielle Pirkle, Marketing Assistant, National Seating and Mobility Corporate Headquarters, Franklin, TN, telephone #615-495-1115. After being advised of the identity of the interviewing investigator and that the nature of the interview pertained to an allegation made by a former, temporary employee of National Seating and Mobility in Montgomery, AL., Ms. Pirkle furnished the following information.

Ms. Pirkle is aware of Elizabeth Horton and that she was terminated in June of 2004. She advised that Elizabeth Horton was terminated for her problems in her work, and she recalls that the Monday following the termination of Elizabeth Horton's employment with National Seating and Mobility in Montgomery, Felicia Barrow, Prior Approval Unit Alabama Medicaid Agency, Montgomery, AL called and left a voice message wherein Felicia Barrow made such statements on the recorded voice mail that she "couldn't believe National Seating and Mobility would let Elizabeth Horton go in as much as she was doing such a good job for National Seating and Mobility." She made other comments about Elizabeth Horton being such a quote "great person" and she could not "understand why Elizabeth Horton had been terminated."

Ms. Pirkle advised that it was inappropriate that Felicia Barrow telephonically contact her, as the firings and hirings of anyone at National Seating and Mobility was not within Barrow's prerogative.

Ms. Pirkle believes the reason Barrows called her was that there had been previous contacts between them regarding business between National Seating and Mobility and the Medicaid Agency. She advised Felicia Barrow could have believed that she, Pirkle supervised Emily Williams, National Seating and Mobility, Montgomery.

Ms. Pirkle advised that she did attempt to return the phone call to Felicia Barrow and recalls she left three different voice messages; however, Barrow never returned her call.

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DATE OF INTERVIEW June 23, 2005 AT Montgomery, AL

BY Gerald G. Shockley SPECIAL AGENT

FILE #77282-001

